



08/753851

Application No.: \_\_\_\_\_

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d). SEE SECTION 3 OF OFFICE ACTION

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interference

In re Patent Application of

WEINBERG et al

Serial No. 08/753,851

Filed: December 2, 1996

Title: METHOD OF INHIBITING HIV INFECTION

Honorable Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:

**NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Appeals from the decision dated September 8, 1999 of the Examiner twice/finally rejecting claims 8-12, 14-19, 23-25 (\$ 300.00 )

An appeal **BRIEF** is attached in triplicate in the pending appeal of the above-identified application (\$ 300.00) \$ 0.00

An **ORAL HEARING** is requested under Rule 194 (\$ 260.00) \$ 0.00 (due within two months after Examiner's Answer)

Credit for fees paid in prior appeal without decision on merits -\$ ( 0.00)

A reply brief is attached in triplicate under Rule 193(b) (no fee)

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$380.00/2 months; \$870.00/3 months; \$1,360.00/4 months) \$ 110.00 **SUBTOTAL** \$ 410.00

Applicant is a "small entity"; enter ½ of subtotal and subtract  "small entity" statement attached -\$ ( 205.00) **SUBTOTAL** \$ 205.00

Less 1 month extension previously paid on January 10, 2000 -\$ ( 55.00)

**TOTAL FEE ENCLOSED** \$ 150.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road  
8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
MJW:tat

NIXON & VANDERHYE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

WEINBERG et al

Serial No. 08/753,851

Filed: December 2, 1996

**Title: METHOD OF INHIBITING HIV INFECTION**

**Assistant Commissioner for Patents  
Washington, DC 20231**

Sir:

## **RESPONSE TO NOTICE TO COMPLY**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number  
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number  
previously paid for 3 (at least 3) = 0 x \$ 78.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$260.00 (ignore improper)      \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00 /1 month; \$380.00/2 months; \$870.00/3 months) \$ 110.00

Terminal disclaimer enclosed, add \$110.00

First submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$760.00 ) \$ 0.00

Second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$ 760.00 )

Please enter the previously unentered information above. filed

**SUBTOTAL \$ 110.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 55.00  
 Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$240.00) \$0.00

Assignment Recording Fee ( \$40.00 ) 0.00

TOTAL FEE ENCLOSED \$ 55.00

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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**NIXON & VANDERHYE P.C.**  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Henry J. Wilson

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